necessarily they have prejudiced the defence of the complainant. This apart the enquiry officer who have examined the witnesses in person before them rather than allow a statement prepared by the witness or prepared for him to be marked. The complainant has also alleged that the representative of the Management had taken on him the role of prosecutor and had almost stepped into the shoes of the enqiry officers themselves. Since the Respondent had remained absent we are not in a position to appreciate their verison in this respect. The complainant has also brought to my notice under Ext. C-27 which is a working procedure of Goods Inward Department, in particular to provisions 4.2.7., 4.2.9., and 4.3.3, one is not sure whether all those matters had been taken into consideration. I find that there has been lack of opportunity to the complainant to defend himself. There is therefore violation of principles of natural justice. The order of dismissial is liable to be set aside on this ground also. This is my finding on the second issue.

8. In the Result the complainant succeeds and is entitled to be reinstated. The order of dismissal is hereby set aside, and the Respondent directed to re-instate him and pay the back wages.

9. No cost.

Syed Nazir Ahmed,
Presiding Officer,
Additional Industrial Tribunal.
Banagalore.

Order No. SWL 25 LLA 78.
Bangalore, dated 16th/22nd February 1978.

Whereas before the Additional Industrial Tribunal at Bangalore a complaint was made under section 33-A of the Industrial disputes Act. 1947 (Central Act No. 14 of 1947), by Sri. K. C. Hombaiah, 6, Andra Devanga Building, Gandhinagar, Bangalore-9 ;

And, whereas the said Additional Industrial Tribunal adjudicated upon the said complaint and submitted its award to the State Government as required under section 15 read with Section 33-A of the said Act.

Now, therefore, in exercise of the powers conferred by sub-section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947), the Government of Karnataka hereby directs the publications of the said award in the Karnataka Gazette.

By Order and in the name of the President of India,

B. MANAMOHAN,
Under Secretary to Government,
Social Welfare and Labour Department.

2634—S. O. 692

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute:—Industrial dispute between the Workmen and the Management of M/s. Western India Rubber Works, Bhavanthi Street, Mangalore-1

Award of the Presiding Officer, Labour Court. Bangalore published.

Read the following papers :

(1) Letter No. A/ID/92/76/77-78, dated 18th February 1978 from Shri P. B. Chaugule, Presiding Officer, Labour Court, Bangalore.

IN THE LABOUR COURT AT MANGALORE.

Present :

Sri P. B. Chougule, B.A., (Hons) LL.B., ... Presiding Officer.

Friday, the 17th day of February 1978.

Reference (ID)(LCM) No. 92 of 1976.

I Party.—The Workmen, represented by the General Secretary, National Dock & General Workers' Union, Parameshwari Buildings, Balmatta, Mangalore-2.

Vs.

II Party.—The Management M/s. Western India Rubber Works, Bhavanthi Street, Mangalore-1.

AWARD.

The Government of Karnataka by their Order dated 22nd November 1976, have referred the following points of dispute for adjudication to this court :

Points of Dispute.

1. "Are the workmen of Western India Rubber Works, Bhavanthi Street, Mangalore-1, represented by the National Dock and General Workers Union, Parameshwari Building, Balmatta, Mangalore-1, justified in demanding the following from the management ?

   a. All the workers should be made permanent with effect from 1974 and be paid their arrears thereby.

   b. All the workers be given 4 pairs of uniforms as well as shoes with protected year as they are doing the most hazardous job.

c. the various scales of pay be revised as under:

(i) Skilled :- Rs. 250-18-310- Plus D. A., HRA, and City allowance
(ii) Semi-skilled :- Rs. 330-16-485 plus allowance.
(iii) Unskilled :- Rs. 301-14-425 plus allowance.
(iv) Assistant Chemist :- 400-21-520.

d. All workers be given milk once a day since they are doing most hazardous job.

II. If so, to what reliefs the workmen are entitled ?".

Today when the case was called, both the parties filed a joint memo to the effect that they have settled the dispute as per agreement arrived at on 4th February 1973. They have, therefore, prayed that the Reference may be rejected. The parties have also produced the agreement reached between them. In view of the amicable settlement of the dispute between the parties the Reference is rejected.

Dictated to the Stenographer, transcribed and typed by him and corrected by me.

Sd/- P. B. CHOUGLE,
Presiding Officer,
Labour Court, Mangalore.

Mangalore
Dated 11-2-1978

"COPY"

Presiding Officer.
Labour Court, Mangalore.

Order No SWL 49 LLA 78

Bangalore, dated 4th March 1978.

Whereas by State Government order No. SWL 633 LLD 76, dated 22nd November 1976 the Industrial dispute between the workmen and the management of M/s. Western India Rubber Works Bavanthi Street Mangalore-1 was referred to the Labour Court, Mangalore for adjudication.

And whereas the Presiding Officer, Labour Court Manvalore has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

B. MANAMOHAN,
Under Secretary to Government.
Social Welfare and Labour Department.

2673—S.O. 693